

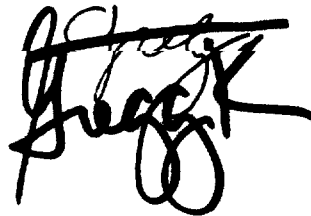
DAVID C. LONG CO., L.P.A.

ATTORNEY AT LAW

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24500 CENTER RIDGE ROAD

WESTLAKE, OHIO 44145



146462

TELEPHONE:

CLEVELAND, 216/835-8200

ELYRIA, 216/323-3331

January 4, 1983

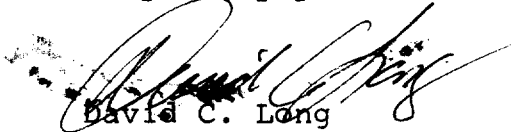
Director,  
Waste Management Division  
United States Environmental Protection  
Agency  
Region V (5HR)  
230 South Dearborn St.  
Chicago, Illinois 60604

Re: United States of America vs.  
Chemical Recovery Systems, Inc.  
Case No.: C80-1858  
United States District Court  
Northern District of Ohio  
Eastern Division

Dear Sir:

Under separate cover, dated October 26, 1983, I forwarded to you a copy of an agreement entered into between Chemical Recovery Systems and Russell W. and Dorothy Obitts. The draft copy previously forwarded to you became the final version; however, an addendum was subsequently entered into between the parties, a copy of which is enclosed for your information. If you have any questions please feel free to contact me.

Very truly yours,



David C. Long

DCL:cas

cc: Kathleen Sutula, Esq.  
John Voelpel, Esq.  
Anthony Giardini, Esq.  
Mr. Peter Shagena  
Mr. James C. Freeman

ADDENDUM

This constitutes an addendum to an agreement previously entered into on or about the 16th day of November, 1983, by and between CHEMICAL RECOVERY SYSTEMS, INC., an Ohio Corporation for profit in good standing (hereinafter referred to for convenience as CRS) and RUSSELL W. OBITTS and DOROTHY OBITTS, Husband and Wife, (hereinafter referred for convenience as Obitts).

This document shall in no way modify the previous written agreement referred to herein but contains additional terms and conditions which the parties intend to become a part of that agreement by way of this addendum.

At the time of execution of this document, CRS will tender to Obitts its check made out to J. Grant Keys, Lorain County, Ohio Treasurer in an amount sufficient to bring current all past due real estate taxes, together with penalties, on the real estate described in Exhibit "A" attached hereto through the 1980 tax year plus One Thousand Dollars (\$1,000.00) to be applied on past due taxes and penalties that have accrued since the end of the 1980 tax year.

CRS hereby certifies that real estate taxes upon the property described in Exhibit "B" attached hereto, together with penalties, are paid through the 1982 tax year and will hold Obitts harmless upon any such taxes and/or penalties which are not paid.

CRS further certifies that, as of December 29, 1983, real estate taxes together with penalties due and payable upon the property described in Exhibit "A" attached hereto, less the amount to be tendered as set forth above, do not exceed Five Thousand Dollars (\$5,000.00).

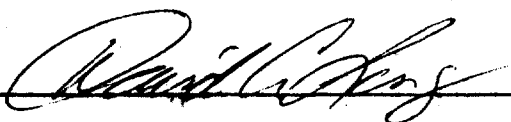
And agrees to reimburse Obitts for any amount by which said taxes might exceed Five Thousand Dollars (\$5,000.00) as set forth hereafter.

Except as otherwise provided herein, Obitts will hereafter assume responsibility for and hold CRS harmless from any and all real estate taxes, together with penalties, due and owing, accrued but not yet due, and to be accrued in the future, upon the lands described in Exhibits "A" and "B" attached hereto.

CRS further certifies that the properties described in Exhibits "A" and "B" attached hereto are free and clear of any and all encumbrances except easements, covenants and other restrictions of record, taxes, any encumbrances placed on the property by operation of the decree of the United States District Court, Northern District of Ohio, Eastern Division in the case styled as "United States of America vs. Chemical Recovery Systems, Inc.", Case No. C80-1858, any liens placed on the property by or on behalf of Obitts and a personal property tax lien in the amount of approximately \$1,180.00. CRS will forthwith take the necessary steps to cause said personal property tax lien to be removed or will post sufficient security to release same. CRS will provide Obitts with title search by Lorain County Title Company; however, if Obitts desire a fee policy of title insurance or title guarantee they will assume responsibility for the cost thereof.

CRS further certifies that the subject property is now occupied by a tenant, to-wit: Porta-John Corporation, pursuant to a written lease which may be terminated upon sixty (60) days notice.


WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  


\_\_\_\_\_  
Russell W. Obitts

\_\_\_\_\_  
Dorothy Obitts

CHEMICAL RECOVERY SYSTEMS, INC.

By:   
Peter J. Shagena, President and  
Chairman of the Board of Directors

Date: 12-15-83

PARCEL NO. 1

Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being all of Sublot No. 520 and the Southerly 49.50 feet of Sublot No. 521, in Block No. 96, between the branches of Black River in H.E. Ely's Addition, as shown by the recorded plat in Volume 1 of Maps, Page 35 of Lorain County Records and having a frontage of 148.50 feet along the Westerly line of North Maple Street and extending Westerly between parallel lines to Black River at high water line. Sublot No. 520 being 99.0 feet in width as measured along North Maple Street and that portion of Sublot No. 521 being 49.50 feet frontage along the Westerly line of said Street, be the same more or less, but subject to all legal highways.

Excepting therefrom the following parcel of land: Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being the Southerly 20.00 feet of Sublot No. 520 in Block 96, between the branches of Black River, in H.E. Ely's Addition to the Village of Elyria as recorded in Volume 1, Page 35 of Lorain County Record of Plats, and bounded and described as follows: Beginning at a point on the Westerly line of Locust Street, formerly Maple Street, at the Southeasterly corner of said Sublot No. 520; thence Northerly along the Westerly line of Locust Street, a distance of 20.00 feet; thence Westerly in a line parallel to and distant 20.00 feet by rectangular measurement from the Southerly line of said Sublot No. 520, to a point in High Water Mark of the East Branch of Black River; thence down stream along said High Water Mark to the Southwesterly corner of said Sublot No. 520 and being the Northerly line of land conveyed to Franklin H. and Irene L. Payne by deed dated August 6, 1958, and recorded in Deed Volume 727, Page 29 of Lorain County Records, to the Southeasterly corner of said Sublot No. 520 and a point on the Westerly line of said Sublot No. 520, and the place of beginning, be the same more or less, but subject to all legal highways.

PARCEL NO. 2

Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being the Northerly one-half of Sublot No. 521 in Block No. 96 of H. Ely's Addition to Elyria of Original Elyria Township Lot No. 96 and other lots, as shown by the recorded plat in Volume 1, Page 35 of Lorain County Records, and having a frontage of 49.50 feet on the Westerly side of Maple Street, extending back of equal width to the East bank of the East Branch of Black River, as appears by said plat, be the same more or less, but subject to all legal highways.

PARCEL NO. 3

Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being the Southerly one-half of Sublot No. 522 in Block No. 96 in H. Ely's Addition to Elyria of Original Elyria Township Lot No. 96 and other lots, as shown by the recorded plat in Volume 1 of Maps, Page 35 of Lorain County Records, and having a frontage of 49.50 feet on the Westerly side of Maple Street, extending back of equal width to the East bank of the East branch of Black River, as appears by said plat, be the same more or less, but subject to all legal highways.

(Continued on attached sheet)

**EXHIBIT A**

# EXHIBIT A

## PARCEL NO. 4

Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being the Northerly one-half of Sublot No. 522 in Block No. 96 in H. Ely's Addition to Elyria of Original Elyria Township Lot No. 96 and other lots, as shown by the recorded plat in Volume 1 of Maps, Page 35 of Lorain County Records and having a frontage of 49.50 feet on the Westerly line of Maple Street, extending back of equal width, the East bank of the East branch of Black River, as appears by said plat, be the same more or less, but subject to all legal highways.

## PARCEL NO. 5

Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being the Southerly 15 feet between parallel lines of Sublot No. 523 in Block No. 96 of H. Ely's Addition to Elyria of Original Elyria Township Lot No. 96, and other lots, as shown by the recorded plat in Volume 1, Page 35 of Lorain County Records, and having a frontage of 15 feet on the Westerly side of Maple Street, extending back of equal width to the East bank of the East Branch of Black River, as appears by said plat, be the same more or less, but subject to all legal highways.

## PARCEL NO. 6

Situated in the City of Elyria, County of Lorain and State of Ohio, and known as being part of Sublot No. 523 in Block No. 96 of H. Ely's Addition to Elyria, of Original Elyria Township Lots No. 96 and other lots, as shown by the recorded plat in Volume 1 of Maps, Page 35 of Lorain County Records and bounded and described as follows: Being a strip of land 20 feet in width North of and adjoining premises described in Parcel No. 4 above. Commencing at a point in the West line of Maple Street projected 35 feet Northerly of the South line of the said Lot No. 523; thence Westerly parallel to the South line of said Lot No. 523 and 35 feet distant Northerly therefrom to the Easterly bank of Black River at high water mark; thence Southerly following the course and meanderings of said River at highwater mark to a point 15 feet Northerly of the South line of said Lot No. 523; thence Easterly parallel to the said South line of said Lot No. 523 and 15 feet distance Northerly therefrom to the Westerly line of Maple Street, thence Northerly on the Westerly line of said Maple Street projected North 20 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways. Excepting therefrom the above described premises any part thereof resulting through change in the course of Black River occasioned by other than natural causes other than accretion and any encroachments thereon.

Permanent Parcel Nos. 06-26-096-000-003  
06-26-096-000-004  
06-26-096-000-023.

Situated in the City of Elyria, County of Lorain and State of Ohio: and known as being the Southerly 20.0 feet of Sublot No. 520 in Block 96, between the Branches of Black River, in H.E. Ely's Addition to the Village of Elyria as recorded in Volume 1, Page 35 of Lorain County Record of Plats, and bounded and described as follows: Beginning at a point on the Westerly line of Locust Street, formerly Maple Street, at the Southeasterly corner of said Sublot No. 520; thence Northerly along the Westerly line of Locust Street, a distance of 20.00 feet; thence Westerly in a line parallel with and distant 20.00 feet by rectangular measurement from the Southerly line of said Sublot No. 520, to a point in the High Water Mark of the East Branch of Black River; thence down stream along said High Water Mark to the Southwesterly corner of said Sublot No. 520; thence Easterly along the Southerly line of said Sublot No. 520 and being the Northerly line of land conveyed to Franklin H. and Irene L. Payne by deed dated August 6, 1958 and recorded in Deed Volume 727, Page 29 of Lorain County Records, to the Southeasterly corner of said Sublot No. 520 and a point

884300

WARRANTY DEED.—No. 104 D. (To a Corporation.)

THE OHIO LEGAL BLANK CO., CLEVELAND

Know all Men by these Presents, That Irene L. Payne, a widow and unmarried,

\_\_\_\_\_ the Grantor \_\_\_\_\_,

for the consideration of Ten Dollars and other valuable consideration ~~xxxxx~~  
 (\$ 10.00 ) received to ~~her~~ full satisfaction of Chemical Recoveries Systems, Inc.

\_\_\_\_\_ the Grantee

whose TAX MAILING ADDRESS will be \_\_\_\_\_

do give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, the following  
 described premises situated in the City of Elyria

County of Lorain and State of Ohio:

and being a part of SubLot No. 519, Block 96 in the H. E. Ely Addition to the Village, now City of Elyria, between the branches of Black River, as recorded in Volume 1, Page 35 of Lorain County Record of Plats, bounded and described as follows: Beginning at an iron pin at the NorthEasterly corner of said SubLot No. 519, Block 96, and on the Westerly line of Locust Street, (formerly Maple Street); thence along the Northerly line of said SubLot No. 519, Block 96, Westerly a distance of 222.77 feet to an iron pin; thence continuing along the Northerly line of said SubLot Westerly to high water line of the East Branch of Black River; thence Southerly down stream and along said high water line to a point distant 16.0 feet by rectangular measurement, Northerly from the Southerly line of said SubLot No. 519; thence Easterly and along a line distant 16.0 feet by rectangular measurement Northerly from the Southerly line of said SubLot No. 519 to the Easterly line of said SubLot No. 519 and Westerly line of Locust Street (formerly Maple Street); thence Northerly and along the Easterly line of SubLot No. 519; and along the Westerly line of Locust Street (formerly Maple Street) a distance of about 83.0 feet to the place of beginning, be the same more or less, but subject to all legal highways and waterways. Excepting from the above described premises any part thereof resulting through change in the course of Black River occasioned by other than natural causes or by natural causes other than accretion.

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EXHIBIT B